U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

SEP 25 2003

DOT-E 9771
(NINTH REVISION)

EXPIRATION DATE: August 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: ATK Ordnance and Ground Systems LLC
Plymouth, MN

(See Appendix A to this document for list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain waste explosive articles classed as Division 1.4S subject to the limitations and special packaging requirements specified herein. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.58(a) in that the testing requirements for assignment of Division 1.4S are waived; and § 173.61(e) in that explosives of different compatibility groups may not be packaged together in the same outer package, except as specified herein.

5. BASIS: This exemption is based on the application of ATK Ordnance and Ground Systems LLC dated September 11, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101): SEP 25 2003

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Articles, explosive, n.o.s.	1.4S	UN0349	II

7. SAFETY CONTROL MEASURES:

a. INNER PACKAGING - Receptacles, metal, wood or fiberboard containing not more than 8 grams of explosive per receptacle.

b. OUTER PACKAGING -

(1) Non-specification heavy-wall steel box partitioned into three sections by solid heavy-wall steel panels which run from the bottom to the top of the box, completely isolating the sections from each other, constructed in accordance with the design and specifications shown in the applicant's Drawing No. DTD10030.

(2) All waste explosive articles placed in any one section of the outer packaging collectively may not contain more than eight(8.0) grams net weight of explosive materials.

(3) Waste explosive articles of different compatibility groups may not be transported together in the same section of the outer packaging.

(4) Waste Division 1.1A explosive substances not contained within a waste explosive article may not be transported alone or together with any waste explosives articles.

c. Transportation is only authorized between Twin Cities, Minnesota and Elk River, Minnesota.

d. Transportation is limited to company-owned or leased motor vehicles only.

8. SPECIAL PROVISIONS: The driver must have been instructed as to the necessary safeguards and proper procedures in the event of unusual delays, fire or accident.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

    - All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

    - Registration required by § 107.601 et seq., when applicable.

    Each "Hazmat employee" as defined in § 171.8 who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

    No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving fire, explosion or loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

SEP 25 2003

Robert A. McGuire
FR Associate Administrator
for Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemptions Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: AM